



**Schubert  
Osterrieder &  
Nickelson PLLC**

6013 Cannon Mtn Dr., S14  
Austin, Texas 78749  
Tel: (512) 692-7297  
Fax: (512) 301-7301  
www.schubert-iplaw.com

**RECEIVED**  
**CENTRAL FAX CENTER**

**AUG 17 2005**

**\*\*\* CONFIDENTIAL FACSIMILE \*\*\***

**Date:** August 17, 2005

**From:** James L. Nickelson **Tel:** (512) 692-7297

**To:** Mail Stop AF **Tel:**  
**Company:** USPTO Central Fax **Fax:** 571-273-8300

**Sender's Ref:** AUS920031011US1(4032) **Pages (incl. this page):** 3

**Recipient's Ref:** 10/733,841

**Subject:** SUMMARY OF EXAMINER INTERVIEW ON JULY 29, 2005

**Notes:**

Attached hereto:

- 1) Summary of Examiner Interview on July 29, 2005 (2 pages).

Thank you,  
Schubert Osterrieder & Nickelson PLLC

\*\*\*\*\*

**ATTENTION: CONFIDENTIAL and/or PRIVILEGED INFORMATION**

This transmission contains information from the law firm of Schubert Osterrieder & Nickelson PLLC. The information is confidential and/or privileged and is intended for the use of the individual or entity named on this transmission only. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this transmission in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you. Alternatively, notify the sender by replying to this transmission and delete the message without disclosing it. Thank you.

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

AUG 17 2005

In re Application of:  
Scott Broussard et al.

Serial No.: 10/733,841

Date Filed: December 11, 2003

Title: Methods, Systems, and Media  
for Providing a Location-  
Based Service

§ Group Art Unit: 3661  
§  
§ Examiner: Cuong H. Nguyen  
§ Confirmation No.: 2183  
§ IBM Docket No.: AUS920031011US1  
§ Atty Docket No.: (4032)

Mail Stop AF  
COMMISSIONER FOR PATENTS  
P. O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF FACSIMILE

I hereby certify that, on the date shown below, this correspondence  
is being transmitted via facsimile to the U.S. Patent & Trademark  
Office at facsimile no. 571-273-8300.

Signature

Date

SUMMARY OF EXAMINER INTERVIEW ON JULY 29, 2005

This paper provides a summary pursuant to MPEP 713.04 of a telephonic Examiner Interview conducted on July 29, 2005 between the Examiner and James Nickelson, attorney for the Applicant. The Interview was conducted after the Final Office Action (mailed on May 18, 2005) and after the Response to the Final Office Action Mailed May 18, 2005 (submitted July 18, 2005). The Interview focused primarily on the rejection relating to claim 1.

Applicant argued during the Interview that claim 1 was patentable in light of the disclosed references as neither Whitman U.S. Pat. 6,526,351 (hereinafter "Whitman") nor Trossen U.S. Pat. Application Publication US 2005/0059410 A1 (hereinafter "Trossen") disclose or suggest multiple limitations of claim 1, including but not limited to "receiving from a user at a current location differential information, the differential information indicating a difference between the current location and a particular, different location" and "providing a location-based service, wherein the location-based service produces results that are at least partially based on the particular location". Applicant also argued that the rejections of claim 1 were also traversed because the declaration under 37 C.F.R. § 1.131 eliminates the use of Trossen as a valid prior art

Commissioner for Patents  
August 17, 2005  
Page 2 of 2

Serial No. 10/733,841  
Art Unit: 3661 Examiner: Cuong H. Nguyen  
IBM Docket No.: AUS920031011US1(4032)

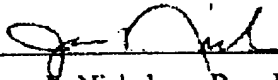
reference, successfully traversing the rejections based on 35 U.S.C. § 103. The Examiner rejected Applicant's arguments, contending that the claimed invention was obvious in light of the disclosed references and other references. The Examiner did not specify during the Interview whether the declaration under 37 C.F.R. § 1.131 would be accepted.

Applicant also suggested rewording the claims to emphasize the distinction over the prior art and amending the claims by adding "and not the current location" in reference to providing a location-based service to help clarify the meaning of the claims. The Examiner rejected the proposed amendments as not satisfactorily placing the application in condition for allowance.

Respectfully submitted,

Date

August 17, 2005

  
James L. Nickelson, Reg. No. 46,140  
Customer No.: 45557  
Schubert Osterrieder & Nickelson PLLC  
6013 Cannon Mtn. Dr, S14  
Austin, Texas 78749  
(512) 692-7297 (Telephone)  
(512) 301-7301 (Facsimile)  
Attorney for Applicant(s)